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ABSTRACT

The history, rationale, strategies, and issues concerning legal education are discussed in six chapters. Chapter 1 outlines the history of citizenship education and identifies three divergent trends which result from the values of a democratic political community, the values of a segmented pluralistic society, and the pressures of worldwide modernization. Chapter 2 discusses the increased emphasis on law in the social studies curriculum and compares legal education to citizenship education. Chapter 3 analyzes two reasons for the current focus on legal education: the crisis of lawlessness in society and the crisis of dullness in traditional citizenship education. Chapter 4 identifies some law-focused projects, including the Law in American Society Foundation, the Constitutional Rights Foundation, the Street Law Project, and several statewide programs. Chapter 5 advocates using certain strategies and teaching methods, such as teaching about basic legal concepts (fairness, honesty, etc.); improving teaching about fundamental concepts of American law; developing an appreciation of the scope of the law; and investigating what legal institutions are really like. Chapter 6 categorizes issues concerning legal education into goals, what to teach, when to teach, the role of lawyers, and funding. An appendix lists materials for law-related programs according to type, content, and grade level. (KC)

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THE LAW-FOCUSED EDUCATION MOVEMENT

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I. A BRIEF HISTORY OF CITIZENSHIP EDUCATION

From the earliest days of our republic, one of the principal goals of education has been the preparation of youth for citizenship. Indeed, the need for a literate citizenry was one of the prime motivating factors for the establishment of public schools. Civic education has always occupied a significant niche in the curriculum of most schools. During the past decade, an increasingly large portion of this niche has been held by law-related educational programs. It is the purpose of this study to examine the law-related education movement and its impact on citizenship education. We shall begin with a brief examination of the history of citizenship education in the United States.

During the fifty years immediately following the American Revolution, the principal ingredients of a civic education were literacy and the inculcation of patriotic and moral virtues. The most influential carriers of such education were spellers and readers. The idea was to attach the loyalty of the child to the state and the nation. Patriotic values were stressed to the neglect of political knowledge and little effort was made to develop participatory political skills.[1] The early texts placed a high degree of emphasis on social and economic conformity and loyalty to a practically-oriented business type of culture.[2]

Thomas Jefferson's views represented one major exception to the general conformity of the period. Jefferson felt that education should be directed toward the citizen obtaining the skill with which

he could interpret information and recognize his own self-interest, Thus equipped he would grow and develop as a free citizen. However, when it came down to selection of a text for government classes at the University of Virginia, Jefferson wanted to be sure that the knowledge offered was controlled for the best interests of the state. He became involved in a dispute because he disagreed with the approach of the book chosen.[3] Apparently, his liberality did not extend as far as some might have supposed. Jefferson was, however, a firm supporter of public education. Among the dominant planter class in Virginia, his view was, apparently, in the minority. His "Bill for Diffussion of Knowledge" was rejected by the Virginia assembly.[4] In fact, public education was not widespread outside New England during these early years. Most civic education was of the informal, experiential type.

The middle-half of the nineteenth century (1826-1876),saw little change in the basic values advocated in citizen education. Schools still stressed loyalty and patriotism and gave full attention to the middle class virtues--hard work, honesty, integrity, individual effort, and obedience to legitimate authority. Texts were generally conservative and Federalist in political orientation. Liberty was the preeminent concept but the term was rarely defined.[5]

Immigration began to have a major impact on American schools during this period. Millions of newcomers were being assimilated and the teaching of English, along with the basic structure of government, seemed to be the easiest way to accomplish this task.[6]

Horace Mann, leader of the common school reform movement (1839-48), realized the impact of immigration and industrialization upon life in Massachusetts. He saw the importance of civic education

but, at the same time, he realized that controversy could destroy the public school movement.[7]

Mann stressed education to foster the protection of property. The poor could best be served by a growing economy in which property would expand so that more could hold it. Liberty should be protected by teaching immigrants to be American citizens. The schools should teach patriotic history and the political structure of the constitutional system. Controversy, however, was to be avoided. "Political proselytism" was not the function of the school, according to Mann. The school was to be the "balance wheel", fostering common political, moral, and economic principles.[8]

The influence of Mann and his followers was great. The emerging public schools were largely content with a civic program that initiated the poor, the foreigners, and the working class through English literacy, moral injunctions, patriotic readers, and lessons on the structural forms of government.[9]

Every period has its dissenters and the mid-nineteenth century was no exception. Men such as Ralph Waldo Emerson and Henry David Thoreau expressed a different view of citizenship. These transcendentalists felt that the really "good" citizen was one who did not blindly say "my country, right or wrong", but who had the will and courage to resist the state when he felt it was wrong.[10] This view was certainly significant; however, it did not dominate civic education in the public schools.

Civic education began to undergo more searching examination during the period 1876-1926 than it had previously. Three themes characterized citizenship education during this time: exaltation of the U.S. as a superior nation, fear of the alien and foreign influences, and the ideal of a laissez-faire economy. The image of the

self-made man had a prominent role. During the latter part of this period, civic education also reflected the progressive movement's dedication to popular political reforms.[11]

This period saw massive increases in public school enrollment due to extension of public education to larger numbers of citizens and to continually rising rates of immigration. This was the time of the so-called "new immigration"--patterns shifted from northern and western European nations to southern and eastern European nations. Differences in language, culture, and religion led to considerable fear of growing foreign influence.

The dominant goal of the period was a quest for order and stability.[12] For the immigrants' children the schools served a twin purpose--to help them prepare for an occupation and to help them identify with American ideals and standards of citizenship.[13]

As child labor laws were passed and compulsory education laws were enforced, the general holding power of the schools was increased. Increasingly larger numbers of children were being reached by public education. Perhaps this was one reason all education, including civic education, came under close scrutiny during this period. As the turn of the century neared, numerous study groups were established to evaluate educational procedures and make recommendations for reform. Several of these affected civic education.

In 1893 the Committee of Ten of the National Education Association recommended a more academic approach to the study of history for all students. The teaching of history was to focus on a scholarly approach with emphasis upon the nature of evidence and the mental discipline of historical study. This represented a shift away from an earlier emphasis upon history as a tool for promoting patriotism

and loyalty as part of citizenship training. This theme continued in 1899 when the American Historical Association's Committee of Seven recommended four years of historical study for schools with stress upon the use of primary sources.[14]

New fields of study were beginning to come into prominence early in the twentieth century, among them the study of government and politics. In 1908 the American Political Science Association called for the addition of a government course to the secondary school curriculum. Soon afterward the American Sociological Association urged that sociology also be a part of citizenship education.[15]

This growth in new areas of study ultimately led to the shift away from classical education toward education for all aspects of life. This trend was set by the 1918 report of the NEA Commission on the Reorganization of Secondary Education.[16] This commission adopted the new term "social studies" to encompass the several disciplines related to civic education. Citizenship training was brought to the forefront of the social responsibilities of the secondary schools. The commission's report tended to reduce the political concerns of civic education in favor of social, economic, and practical personal problems; however, the idea of developing skills in citizenship participation did become part of the objectives of education.[17]

The 1918 commission report was very influential; however, the 1920's saw a resurgence of patriotic flambouyance in civic education. The decade was characterized by negative movements against foreigners, minorities, pacifists, and radicals. The American Legion and similar groups led campaigns to require civic education, flag salutes, etc. in the schools.[18]

The coming of the great depression and the New Deal had significant impact upon civic education, as it did on most areas of national concern. Between 1929 and 1933 a commission of the American Historical Association undertook a detailed evaluation of the social studies. Subsequently, the commission published seventeen volumes, which heralded a new age of social planning and governmental regulation. The age of laissez-faire was ending and a new collectivism was emerging. Youth should be inculcated with values of economic collectivity and interdependence rather than economic individualism. However, personal and cultural individualism and freedom should be promoted.[19] This view is reflected in the following passages from one of the commissions's publications:

> The greatest need of civic education in our day is adequate training for the future in terms of modern social trends and scientific progress. ...
> Instability has fallen upon our modern world because of drift and indifference to recent trends. Our problem is to find a better equilibrium among swiftly moving forces. The challenge of the future is one of social reorganization and readjustment calling for the highest talents of the race in order to relieve the tensions and torsions of our perplexed social situations.[20]

The social reconstructionists, whose views are outlined above, focused upon the use of a scientific attitude in handling social and political problems.[21] One prominent member of this group was Harold Rugg, whose text Introduction to Problems of American Culture was widely adopted. Rugg's approach was that of social engineering. He felt that societal problems were caused by failure to keep up with science and technology. Most such problems could be solved through scientific planning.[22]

Some 1930's scholars thought of citizenship education not in terms of knowledge about government, but in terms of the total behavior of the individual--civic education became character education.[23]

Under the influence of John Dewey, George Counts, and others, student participation in internships, etc. was called for in civic education. For the most part, such programs offered only symbolic power for students. The new liberal view substituted "rule for the people by the knowledgeable expert" for the older value of "rule by the people."[24]

By 1940, as world war loomed, Americans became fearful and insecure. Liberal social reconstructionists were felt to be subversive. Rugg was maligned and his texts were removed from many schools.[25] Civic education returned to more traditionally patriotic themes. In 1944 the Educational Policies Committee of the NEA called attention to the need for citizenship education in their list of the Ten Needs of Youth:

> All youth need to understand the rights and duties of the citizen of a democratic society, and to be diligent and competent in the performance of their obligations as members of the community and citizens of the state and nation.[26]

Just as the schools mobilized for the war effort during World WAr II, they reacted to the stresses and tensions of the Cold War during the 1950's. The educational impact of McCarthyism was a tendency to avoid controversial social, political, and economic issues.

The 32nd Yearbook of the American Association of School Administrators, published in 1954, focused on citizenship education. In it the Commission on Educating for Citizenship called for a broad concept of civic education which included "all mutually helpful social relationships."[27]

Basic political questions of power, influence, and decision-making were neglected ain favor of problems of family, marriage, adolescence, etc. This was the so=called "life adjustment" curriculum. One text, Living Your Life, Crawford, Cooley, et. al., included

chapters on school behavior, school spirit, safety, leisure time, and productive meditation. The dominant values reflected were those of the white middle class.[28]

One major exception to the Life Adjustment movement of the 1950's was the Citizenship Education Project at Teacher's College, Columbia University. This project stressed the concept of liberty with materials drawn from the Constitution and Law. Participartory skills were to be developed through "laboratory" practices which focused on action-oriented problem solving in the schools and the community. This program had little actual impact in the atmosphere of political neutralism and caution among educators in the 1950's. Funding for the project ended before the onset of the more action-oriented sixties.[29]

The rise of student unrest and activism undercut patriotism as a rationale for the "new social studies" movement of the 1960's. Social studies programs tended to stress the patterns of social science analysis--cognitive analysis, systematic acquisition of knowledge, and conceptual analysis. There was emphasis on inquiry learning and the discovery method. In some respects the movement was reminiscent of the stress placed upon use of primary sources in the late 19th century. The entire "new social studies" movement tended to downgrade any use of education to inculcate a set of maxims for "good citizenship", preferring to recognize the study of political behavior as a complex intellectual discipline.[30]

One influential teacher's text of the 1960's was Teaching High School Social Studies by Lawrence E. Metcalf and Maurice P. Hunt. The central concern of this text was the development of a student's ability to think reflectively--not what to think, but how to think.[31]

Throughout the 1960's social unrest and political movements challenged traditional views of citizen participation. The student protests, racial riots, and the anti-Vietnam War movement were perhaps the most visible manifestations of this change; however, its impact was quite pervasive. Some educators began to call for less stress on participation and a greater emphasis upon traditional values and respect for experts. It is in this atmostphere that the law-related education movement found its roots, drawing influence and support from both liberal and conservative groups. The development of this movement will be dealt with in Chapter III.

As one views the overall history of citizenship education, several divergent trends become apparent. Freeman Butts has identified a three-way tension in civic education, the primary elements of which are: (1) the value claims of a democratic political community, (2) the value claims of a segmented, pluralistic society, and (3) the pressures of world-wide modernization. He notes that we have struggled with the belief that education is vital to the health of a democratic community, the belief that large measures of freedom are needed for pluralistic communities, and the belief in civic education for national unity and loyalty--especially in times of crisis.[32]

Given this view, it appears that the political climate of the sixties valued pluralism more than political community and national unity. Similar imbalances may be detected if one evaluates other periods. Perhaps this is an inevitable cyclical pattern which will be reflected in citizenship education programs, or perhaps educators are beginning to recognize a need to maintain a balance among all three forces. There is some indication that some proponents of law-related education see it as a "balancing" type of curriculum. We shall return to this problem after examining the law-education movement in the chapters that follow.

I. FOOTNOTES

[1] R. Freeman Butts, "Historical Perspective on Civic Education in the United States," in Education for Responsible Citizenship, National Task Force on Citizenship Education (New York: McGraw-Hill Book Company., 1977), pp. 48-50.

[2] Clarence J. Karier, " Education of the American Citizen: An Historical Critique," in Citizen Education Historical Analysis: Final Report (Boulder: Colo.,: ERIC Document Reproduction Service, ED 159 111, 1978), p. 22.

[3] Ibid., p. 20

[4] Ibid., p. 21.

[5] Butts, "Historical Perspective," pp. 50-52.

[6] Ibid., p. 60.

[7] Ibid., p. 63.

[8] Karier," Education of the American Citizen," p. 30.

[9] Butts, "Historical Perspective," p. 54.

[10] Karier, " Education of the American Citizen," p. 30.

[11] Butts, "Historical Perspective," pp. 55-56.

[12] Karier," Education of the American Citizen," p. 33.

[13] Ibid., p. 36.

[14] Butts,"Historical Perspective," pp. 56-57.

[15] Karier," Education of the American Citizen," p. 37.

[16] Ibid.

[17] Butts,"Historical Perspective," p. 59.

[18] Ibid., p. 61.

[19] Ibid.

[20] Charles E. Merriam, Civic Education in the United States (New York: Charles Scribner's Sons, 1934), p. ix.

[21] Ibid., p.50.

[22] Karier, " Education of the American Citizen,"p. 64.

[23] Ibid., p. 40.

[24] Ibid., p. 48.

[25] Ibid., p. 70.

[26] Ibid., p. 38.

[27] Butts, "Historical Perspective," p. 63.

[28] Karier, " Education of the American Citizen," p. 64.

[29] Butts, "Historical Perspective," p. 64.

[30] Ibid., pp. 65-66.

[31] Karier," Education of the American Citizen," pp. 71-72.

[32] R. Freeman Butts, " What Should We Learn From the History of Citizenship Education in the United States," in Citizen Education Historical Analysis: Final Report (Boulder, Colo., : ERIC Document Reproduction Service, ED 159 111, 1978), pp. 2-4.

II. THE RECENT MOVEMENT FOR LAW-FOCUSED EDUCATION

In the past decade many schools across the nation have placed increased emphasis upon law in the social studies curriculum. Most of this has been the result of voluntary efforts on the part of educators and members of the legal profession. In at least one state, however, the action has been mandated by law. California requires instruction in the legal and criminal system, and in the rights and duties of citizens. [33]

The origins of the movement can be found in concern regarding the alienation of youth from our traditional legal system. The unrest of the 1960's led some educators to question why we had such large numbers of alienated youth and adults when so much time and money had been spent to perpetuate our democratic system. Blame was placed on both lawyers and teachers. Legal professionals have presented their field as too complex to be understood by laymen and teachers have made civic education too boring and concerned with details. Too little emphasis has been placed on political and legal behavior.[34]

The civil rights movement led to greater public concern regarding the constitutional rights of individuals. Studies revealed widespread ignorance about individual rights and responsibilities. Some of the earliest efforts in law-focused education were directed toward teaching ghetto youth to see the law as a protective rather than just a punitive system.[35]

This concern for knowledge of rights can be identified as one element of the liberal side of support for law-related education.

Liberals are also concerned with educational approaches to a series of problems including disrespect for law, apathy, social disillusionment, public corruption, etc. They see law-focused education as a workable approach to dealing with such problems in the curriculum.[36]

A second base of support for law-related education comes from more conservative elements. Here the primary concern is not individual rights but the threat posed to our way of life by rising crime and delinquency rates and growing civil disorders. Conservatives promoted legal education in an effort to ameliorate these problems.[37] The potential tensions arising from these diverse bases of support will be dealt with later.

Concern for knowledge of basic individual rights formed the basis for the earliest efforts to promote law-focused education. Isidore Starr was a leader of early efforts during the period 1951-63. He wrote a series of articles regarding recent Supreme Court decisions for Social Education in which he urged the use of case studies in classes. He also developed the film series ," Our Living Bill of Rights." [38]

The case studies approach received further support in 1962 with the publication of the Williamstown Report, A Program for Improving Bill of Rights Teaching in the High Schools. This report was the result of a project jointly sponsored by the Civil Liberties Education Foundation (CLEF) and the National Council for the Social Studies (NCSS). In 1963, CLEF became the National Assembly on Teaching the Principles of the Bill of Rights, while continuing to promote civil liberties instruction through teacher workshops, etc. [39]

1963 was a key year in other respects also. In July the Lincoln-Filene Center in Medford, Massachusetts conducted a workshop on

teaching the Declaration of Independence and the Bill of Rights which was a prototype for future law-related workshops. Also, during that year, the Constitutional Rights Foundation was formed in California. Working with the state board of education, they produced a casebook for use in teaching the Bill of Rights. Charles Quigley of the UCLA Civic Education Committee prepared a casebook for civics classes.[40]

By the mid-1960's the law-focused education movement was branching out to include such areas as street law, conceptual law, and field experiences. One early major project was the Law in American Society Foundation (Chicago:1966). In 1971 the American Bar Association set the stage for cooperation between lawyers and educators through formation of its Special Committee on Youth Education for Citizenship (YEFC). By 1977 there were at least 300 statewide and local law education projects.[41]

The following figures indicate something of the growth of law-related education during the past decade:

1971- 6 statewide projects
- 100-150 school projects
- 7 teacher training institutes
1974- 26 teacher training institutes
1975- 26 statewide projects
-400 school projects
1977- 65 teacher training institutes[42]

As the number of law-related education programs grew, the topics covered expanded also. Whereas early programs emphasized the Constitution and the Bill of Rights, later efforts concentrated on the fundamentals of the legal process. In general terms, law-related education has been defined as the study of the role of law in our society, the legal processes, and the legal system.[43]

How does a law-focused curriculum differ from more traditional citizenship education? In comparison to a disciplines approach to social studies, law-focused education is seen not as a search for

truth and understanding, but as an effort to preserve and make more just the role of law in a democratic society.[44] Primary emphasis is placed upon greater student involvement in course activities. This is sought through the use of strategies such as role playing, simulation, and observation and materials such as case studies.

Discussion with lawyers is part of most programs. Generally, there is intensive in-service education for teachers.[45] It seems fitting to mention, however, that most of these are also characteristics of the better traditional programs in citizenship education. The distinction is not always clear cut.

Law-related programs vary from practical to conceptual in focus. They may include criminal and consumer law, or may emphasize social change and value conflicts. Some combine various approaches. There may be separate courses or units within other courses. In some cases lawyers have initiated courses, in others educators have taken the first step.[46]

Norman Gross had identified several common characteristics and shared assumptions which apparently exist throughout the law-related education movement.

First of these is a belief in the substantive and educational value of law itself. It promotes critical thinking and illuminates many other disciplines. Law discourages simple responses to complex problems. It is full of honest conflicts and controversies. Legal studies promote inquiry and the use of varied teaching techniques.[47]

The second common characteristic is the inter-professional nature of most programs. Typically they involve both lawyers and teachers along with other community officials.

The final shared characteristic, and perhaps the most important, in a subject for which traditional programs of teacher education provide almost no preparation, is the use of extensive and comprehensive teacher education programs.[48]

Excellent traditional programs have always involved some of these things. In these respects, law-focused education represents no radical departure from traditional programs. However, to the extent that new people are involved and new materials and methods are introduced, such programs do represent reforms in those systems which begin them.

II. FOOTNOTES

[33] David Thomas, "Lawyers and Teachers: A New Partnership," Educational Leadership 33 (March, 1976) :457.

[34] Thomas Ruff and J. Merrell Hansen," Law-Related Curriculum: The Next Major Thrust in Education," The Clearing House 52(April, 1979): 382.

[35] James Cass, "New Approaches to Law and Order," Saturday-Review- World 49 (Dec. 4, 1973):49.

[36] Rosemary V. Miller and Susan M. Darnley.Law-Related Education: Trends and Development (Boulder, Colo.: ERIC Document Reproduction Service, ED 160 506, 1978), p. 16.

[37] Ibid.

[38] Isidore Starr, "The Law Studies Movement: A Memoir," Peabody Journal of Education 55 (October, 1977): 6.

[39] Ibid.,p.7.

[40] Ibid.,pp. 8-9.

[41] Ibid., p. 9.

[42] figures taken from:
Butts, "Historical Perspective,"p.66. and
Norman Gross," Law-Related Education: Current Trends, Future Directions," Peabody Journal of Education 55 (october, 1977): 3.

[43] Miller and Darnley," Law-Related Education," p. 2.

[44] Fred M. NewMann," Alternative Approaches to Citizenship Education: A Search for Authenticity," in Education for Responsible Citizenship, National Task Force on Citizenship Education (New York: McGraw-Hill Book Company, 1977), p. 181.

[45] Thomas," Lawyers and Teachers," p. 458.

[46] Gross," Law-Related Education," p. 3

[47] Ibid.

[48] Ibid., p. 4.

III. WHY TEACH ABOUT THE LAW?

Before examining recent projects in law-related education, one should explore the motivating forces behind such programs. Understanding the goals and attitudes behind any curricular development is essential to understanding the nature of the movement. The goals which are built into a curriculum reform effort at the start, often determine its success and longevity.

As noted earlier, the current law-focused curriculum movement began in the mid-1960's and reflects the concerns of a society which has experienced the turbulence characteristic of the United States during the past two decades. The civil rights movement, demands for student rights, political assassinations, anti-war protests, racial riots, high crime rates, and Watergate have all been viewed by numerous observers as symptomatic of a society which is teetering on the brink of lawlessness and chaos. This view may be somewhat extreme, nevertheless, it is clear that many Americans have supported a return to "law and order" and have expressed this concern in a variety of ways.

When one begins to examine the recent literature dealing with law-focused education, it becomes apparent that this concern about lawlessness and disorder plays a substantial role in the thinking of many who advocate this curriculum. While this is not the only motivating factor, it is a prominent one. Certainly, it is a major element in conservative support for law-focused education.

One recent study which investigated reasons why various groups have supported law-related educational programs found four broad factors:

(1) anti-social behavior of American citizens, (2) failure of present civics programs in the schools, (3) the revitalization of civic education, and (4) the need for process-oriented citizens. The latter were defined as persons who have developed the cognitive and affective skills to cut through issues, reach conclusions, and rationally justify them.[49]

One reason for the "law and order" bias in many law-focused programs may be the support offered by the Law Enforcement Assistance Administration (LEAA). Between 1970 and 1974, LEAA released 5 million dollars in at least 99 grants to law-related education projects. The LEAA's role, as mandated by Congress, is to promote programs in the states aimed at prevention and reduction of crime. The more a program attempts to curb anti-social behavior, the better the chances of receiving LEAA funding. Therefore, many projects are concentrating on crime and delinquincy, to the neglect of other areas of law.[50]

One example of the influence of the LEAA philosophy can be found in the publications of the American Bar Association's Special Committee on Youth Education for Citizenship. Between 1971 and 1974, YEFC statements regarding law-related studies focused upon improvement of civic education. However, the guidelines published by YEFC in 1975 gave equal attention to crime and anti-social behavior. This publication, Law-Related Education in America by C.J. White, was the product of an LEAA grant.[51]

The ABA has been a major force behind the current efforts to introduce legal studies into the schools. The Special Committee, YEFC, has urged state and local associations to develop local interdisciplinary programs in law-related citizenship at all levels. YEFC was established to serve a facilitative function, supporting new programs and serving as a clearing house for information and materials. The stated goal of this effort is to insure that a "rigorous and effective education in law" is offered to U.S. students.[52]

Why did the ABA commit itself to such a broad effort? Its interest apparently stems from a belief that we live in a society of laws which functions best when its citizens understand this and appre- the legal process.[53] ABA spokesmen cite the narrow-minded nature of recent political activism and the soaring juvenile crime rate as evidence that American young people have little understanding of, or faith in, our legal system. The legal profession assumes a portion of the blame for this because, in the past, the law was presented as a highly complex subject incomprehensible to the lay person.[54]

The legal professionals feel that a law-focused curriculum affords the opportunity for lawyers, police, educators, and youth to work together in resolving social conflict. The goal is to produce citizens who understand the nature of law and its proper role in our nation. [55]

Critics of traditional government and civics courses have often expressed the view that these courses are lacking in relevance and excitement for students. Studies have revealed that students have been alienated by both content and method in these courses.[56] One motive expresses by such critics is that law has both drama and relevance. it is intrinsically interesting.[57] Upon reflection this seems a bit simplistic. Even "intrinsically interesting" material can seem dull and lifeless it it is not properly presented; however, as will be shown, the materials and methods involved in legal studies may indeed enliven social studies instruction.

Other advocates of law-focused education note that law touches all our lives. Our society is highly legalistic in its orientation. During our earlier history, Alexis de Toqueville observed:

> Scarcely any political question arises in the United States which is not resolved sooner or later into a judicial question.[58]

If this is the case, then lack of legal knowledge will create pitfalls and loss of opportunity for citizens in our society. Recent political events--for example, our involvement in Vietnam and the Watergate scandal--along with movements concerned with consumerism , environmental issues, and civil rights have led to a growing legal consciousness on the part of the average citizen.[59]

Given the view that law is an essential part of American life and is a relevant and interesting study, it is easy to see why many educators feel that law-related studies offer considerable benefits for the social studies as a whole. Law is seen as contributing to our thinking and helping us deal with ambiguities. Law teaches the importance of the process of making judgements as well as the significance of the results. Law provides an organizational focus for the social studies, since the issues of social studies are often issues of law.[60]

Generally speaking the broad underlying reasons behind the current law-related curriculum movement focus upon two perceived crises, the crisis of lawlessness in society and the crisis of dullness in traditional forms of citizenship education. Certainly there exists a considerable range of opinion as to how severe these situations may actually be; nevertheless, these opinions have managed to stir a good deal of action within the social studies. If one accepts that American citizens need to have a renewed respect for law and legal processes and that law-focused education can provide this, then one can expect that specific social benefits will result from these programs. Likewise, if social studies instruction will be revitalized, students should realize personal benefits. Indeed, advocates of a law-focused curriculum outline numerous social and personal benefits which they

see as resulting from this curriculum reform.

The well-known legal scholar, Paul Freund, expects law-focused education to produce a more civilized generation better prepared to cope with complexities of life. An indirect benefit should be an enhanced respect for law.[61]

Others feel that law-related education will reduce confusion, frustration, and conflict in society. People who understand law will use it to solve personal and social problems. Respect and support for law should increase, petty crimes, juvenile delinquincy, and extremism should decline. We will develop more responsible citizens and restore some of what we have lost in recent years.[62]

Isidore Starr summarized this view as follows:

> The study of law even helps us to produce a generation of citizens who are users of the law, because they understand the nature and the potential of the law and its great accomplishments, both in the past and in the future.[63]

One area of concern, both for society and individual students, is school discipline. Writers about law-related education question its impact in this area. Some feel that increased respect for law will include school rules, thereby improving school discipline and raising public confidence in the schools.[64] Others question whether increased knowledge about individual rights will make discipline harder. The typical response to this question is that the study of law teaches responsibilities as well as rights.[65]

At least one writer has specifically called for applying law-focused education as a solution to some discipline problems. Noting that the recent Supreme Court decision in the case of Goss Et. Al. vs. Lopez, Et.Al. has imposed due process requirements on student suspensions from school, Donald Thomas suggested that both parents and students be educated about law and legal processes. Hopefully, this would

encourage both greater student responsibility and greater parental understanding of the legal situation.[66]

What about negative attitudes toward law enforcement? Advocated of this curriculum typically feel that the more knowledge a student has about how the system works, the more he will respect it. More information about law goes hand in hand with appreciation.

Paul Freund cites numerous benefits which students should derive from a law-focused curriculum. Continual practice in reaching decisions and justifying them contributes to skill in moral reasoning. Learning to say "yes, but" he believes, is the beginning of wisdom. Law teaches skills in coping with uncertainty and the importance of predictability in behavior.[67]

Isidore Starr feels that students will greatly benefit from a law-related curriculum. He classifies aims and goals into four broad areas--knowledge and understanding, skills, attitudes, and appreciation.[68] Let us examine each of these areas briefly.

In the area of knowledge and understanding, Starr identifies five topics for exploration--liberty, justice, equality, property, and power. Each of these raises significant questions for thought.

Law studies add a sophisticated dimension to social studies skills development. Starr finds that the materials used force students to analyze the issues in value conflicts. Briefing cases can sharpen skills in distinguishing relevant facts. If properly approached, legal studies offer many opportunities to build skills in critical thinking.

These thinking operations often focus on setting priorities. This, in turn, supports an attitude which Starr describes as " a never-ending search for viable alternatives in real life situation."[69]

For example, liberty and license, right and responsibility, and freedom and security, among others.

To foster appreciation of law, Starr sees the need to explore the causes and consequences of lawlessness in society. Law studies can show the use of law in confronting and clarifying social problems. He notes that we have developed a law of poverty, a law of ecology, etc. In developing this fourth aim for legal education, Starr again comes back to social goals, for he stresses appreciation for the rule of law, rather than of men.

The foregoing statements of aims and goals summarize the major motivations for law-focused education expressed in the literature surveyed for this study. One primary concern arises from examining this material--the goals are very broad and very idealistic. To say this is not to belittle the goal of increasing respect for and appreciation of the rule of law. The principle of the rule of law is certainly one of the chief cornerstones of our American governmental system, and, as such, it deserves a prominent place in any curriculum. However, it may be overly optimistic to believe that introduction of law-focused education, especially at the secondary level, can achieve an end to social conflict, juvenile crime, or riotous behavior. For even a substantial impact to be made, such studies would have to reach virtually every student, and most would have to internalize the value of lawful behavior during their developmental years, and it seems doubtful that schooling alone can alter the behavior of those who do not.

It does appear that increased knowledge of law and the legal process mightpromote greater citizen use of law to resolve personal and social conflicts. This could serve to bring more, rather than fewer, tensions into public view, when greater numbers realize the

avenues of legal recourse which are available to them. This growth would not necessarily be bad, but it might well increase the already considerable strain on the court system.

More tangible benefits might accrue in the realm of skills development. The study of the legal process does offer many opportunities to develop and sharpen the thinking process. Case studies afford practice in factual analysis. The legal process stresses examining both sides of an issue, exposing and analyzing conflicting views. To the extent that this is done in a law-focused curriculum, students should be able to sharpen their skills in critical thinking. Should broader social benefits accrue also, they will be added bonuses.

A danger arises, however, that those who expect broad social benefits to be the primary result of a law-related curriculum stand to be disappointed. It would be most unfortunate if a good curriculum which has many sound educational benifits lost support because it did not meet the expectations of the idealists. Law has been called one of the most impressive creations of western society.[70] That alone might seem sufficient reason to give it a prominent place in any social studies curriculum. On a more practical level one can consider the basic need for legal knowledge if one is to function effectively in society.

> If ignorance of the law is no excuse, no excuse exists for perpetuating such ignorance.[71]

III. FOOTNOTES

[49] Miller and Darnley,"Law-Related Education," p. 4,14.

[50] Ibid., pp. 4-5,12.

[51] Ibid., p. 8.

[52] Earl F. Morris," Developing Law-Related Studies: The Roles of Educators and Lawyers," in Reflections on Law-Related Education: Working Notes No. 3 (Chicago: YEFC, American Bar Association.,1973), p. 2.

[53] Thomas," Lawyers and Teachers," p. 457.

[54] Morris," Developing Law-Related Studies," p.2-3.

[55] Thomas,"Lawyers and Teachers," p. 457.

[56] Norman Gross, "Law-Related Education: Current Trends, Future Directions," Peabody Journal of Education 55 (October, 1977): 2.

[57] John C. Pittenger,"The Spirit of Liberty and the Classrooms of Pennsylvania," in Reflections on Law-Related Education: Working Notes No. 3, (Chicago: YEFC, American Bar Association.,1973)p. 5.

[58] Alexis de Tocqueville, Democracy in America, quoted in Norman Gross," Teaching About the Law: Perceptions and Implications," Social Education 41 (March, 1977): 169.

[59] Gross,"Law-Related Education," p. 2.

[60] Gross," Teaching About the Law," p.169.

[61] Paul Freund," Law in the Schools: Goals and Methods," Social Education 38 (May, 1973) : 363.

[62] Thomas,"Lawyers and Teachers," p. 459.

[63] Isidore Starr," Reflections on Law Studies in the Schools Today," in Reflections on Law-Related Education: Working Notes No.3. (Chicago: YEFC, American Bar Association.,1973) p. 16.

[64] Thomas," Lawyers and Teachers," p. 459.

[65] Charles J. White," Teaching Kids About Law," Today's Education 66 (January, 1977) : 76.

[66] Donald Thomas," Solving Discipline Problems Through Law-Related Education," NASSP Bulletin 60 (February, 1976): 15.

[67] Freund,"Law in the Schools," p. 363.
[68] Starr," Reflections," pp. 12-15.
[69] Ibid., p. 15.
[70] Pittenger," The Spirit of Liberty," p. 6.
[71] Gross," Law-Related Education," p. 5.

IV. RECENT PROJECTS INVOLVING LAW-FOCUSED EDUCATION

Law-focused education is a curriculum movement which has enjoyed widespread growth in recent years. In 1974 the ABA Directory of Law-Related Educational Activities listed approximately 250 projects in 40 states and the District of Columbia. Some were statewide; others were local.[72] Since that time other sources have indicated that there may be as many as 300 or 400 projects. Whatever the figure, it is apparent that law-related education has had significant impact upon the social studies curriculum. It is our purpose here to examine some of the major programs and organizations dealing with law-focused education. It is not within the scope of this study to examine and report on all major projects; however, hopefully a reasonably representative sample has been chosen.

One of the earliest major projects was the Law in American Society Foundation. Begun in 1966 as a joint venture of the Chicago Bar Association and the Chicago Board of Education, Law in American Society seeks to promote the study of law-related topics in history and civics courses.[73] The main thrust of the foundation has been teacher training. Summer workshops are held regularly and a teacher education handbook has been developed. The foundation also sponsors a doctoral internship program at Northwestern University, the University of Illinois at Chicago Circle, and the DePaul University College of Law.[74]

Law in American Society has aided numerous pilot projects, both in Chicago and elsewhere. The materials published, which include

the Justice in Urban America series, have been adopted by approximately 1000 school systems.[75] These materials concentrate upon the case study method and often follow a chronological order which makes it easier to use them as "plug-ins" in traditional history courses.

A recent evaluation of the project conducted by the Chicago Bar and the Chicago Board of Education found the following strengths:

1. The human interest found in the cases used.
2. The depth of analysis of history and the historical process.
3. The extent to which units are well developed and self-contained.

Potential problems were cited in the following areas:

1. Teachers might have trouble giving up the role of explaining everything.
2. Students might have trouble assuming the role of producer-evaluator rather than consumer in the class.
3. Teachers might lack sufficient background in law.
4. It might prove difficult to accurately judge the difficulty of reading materials. Grade levels should not be rigidly accepted.
5. Teacher's manuals may "pre-ordain" the answers to many questions.
6. Success requires a class which is willing to go along with open-endedness.[76]

Since 1973 the foundation has published a quarterly journal for law-focused education entitled Law in American Society.

Another organization which has contributed much in the area of law-focused education is the California-based Constitutional Rights Foundation (CRF). In 1963, CRF, in cooperation with the California State Board of Education, developed the Bill of Rights Sourcebook. Since that time, CRF has sponsored a number of law-related educational activities. They have brought together teachers, students, and resource persons for conferences and seminars. Camp seminars have been conducted

for students. Field work experiences have been provided for both teachers and students.[77]

One outstanding project sponsored by CRF in Chicago is a 7-week summer internship - seminar in which thirteen students study law while working 25 hours per week for legal agencies in the city.[78]

In 1973-74,CRF expanded its offices to the middle west and the east. The foundation has subsequently organized Law Education and Participation (LEAP) for the purpose of offering materials and consultative help to law-related projects on a nation-wide basis. The foundation also publishes the Bill of Rights Newsletter and has developed several simulation games.[79]

Another CAlifornia based project, Law in a Free Society (LIFS), began in 1970. Organized by the State Bar Association, this project was funded by the CAlifornia Council on Criminal Justice. A full professional staff began development of programs in legal and civic education for elementary and secondary students, teachers, supervisors, and administrators. Experienced teachers were brought together for in-service training. They developed and tested lesson plans, the best of which were disseminated for use by others. Early publications of this project included a casebook and a guide for teacher education.[80]

Having originally concentrated on developing a curriculum and materials for teacher training, LIFS recently began developing multimedia materials for use in grades k-12. The materials focus on eight broad, philosophical concepts: authority, justice, freedom, participation, privacy, diversity, property, and responsibility. Each unit includes a sound filmstrip, student booklets, and teacher guides with plans and evaluation materials. The units stress fundamental knowledge and analytical-evaluative skills.[81]

The materials being developed by Law in a Free Society have three primary objectives:

1. To promote increased understanding of legal, political, and educational institutions and the values, processes, and principles on which they are founded.

2. To develop the skills necessary to function as effective, responsible citizens.

3. To promote an understanding of and willingness to use democratic processes and procedures when participating in decision-making and conflict management.[82]

One of the most unique law-related programs is the Street Law Project in Washington, D.C. This project is operated by the Georgetown University Law Center. Inter-racial teams of law students teach elective courses in each of the districts 16 high schools. The courses focus on practical law rather than on broad philosophical concepts. Topics covered include: criminal law, consumer law, family law, housing law, and individual rights. The highlight of the year is a city-wide mock trial competition.[83]

The Street Law Project differs from most others in that law students teach the courses. Most other projects involve extensive in-service training for regular classroom teachers. One major question in law-related education is the proper role of the legal profession. This issue will be dealt with in more detail in a later chapter.

Law-Focused Education, Inc. is a statewide project organized by the Texas Bar Association, North Texas State University, and the Texas Classroom Teachers Association. The project has sponsored workshops and seminars for teachers, as well as college courses for prospective teachers. Material has been developed for use in grades 5, 7, 8, 11, and 12.[84]

Another very extensive Texas project is Law in a Changing Society. This program began in the Dallas Independent School System in 1970.

Working with consultation from the Chicago project, pilot teachers from grades 5, 7,8, and 12 were trained in Dallas. Each teacher was to train others during school-provided staff development time.[85]

The Dallas project concentrated on the integration of law-related concepts into existing programs at all levels. The emphasis is on law as a means of understanding our society, not on law's practical aspects.[86] Since its beginning, the program has been expanded to include students in grades K-3. Using an inquiry approach, the themes of leadership, fairness, and responsibility are explored.[87]

Law in a Changing Society has enjoyed strong community support. Five members of the Dallas Bar serve on the 15-member guidance committee. The Bar has also provided aid in obtaining funds, preparing materials for classroom use, and making classroom appearances. Lawyers serve as judges for mock trials and arrange court tours and conferences. It has been estimated that three-hundred lawyers have invested a total of 200 man-hours per month in the project.

Since 1973, the University of Cincinnati Center for Law-Related Education has offered courses and workshops for teachers. Approximately 800 teachers, mostly from surrounding Hamilton County, have participated. In addition to receiving substantive instruction, teachers have developed units for use at all levels. Some separate courses dealing with law have been developed at the secondary level and many units have been integrated into the existing curriculum at all levels. In addition to providing teacher-training, the center has coordinated resource persons, field trips, etc. for schools in the area.[89]

The Minnesota State Bar Association and Bar Foundation, along with the State Board of Education, have developed programs for both elementary and secondary students. The projects began in 1973, when

a teacher workshop was held. When funds ran out in 1974, the projects faltered; however, new funding led to renewed growth in 1976. That year 160 schools, with approximately 13,500 students, participated in the elementary program. This program, Children and the Law, provides kits for teachers which contain student casebooks, teacher resource manuals, and booklets for parents. Between 1973 and 1976, the Bar and Law Wives raised $30,000 to support the project.[90]

The secondary program stresses substantive legal instruction . Students in participating schools are provided copies of The Student Lawyer, a joint publication of the Minnesota Bar and the State Board of Education. The topics covered are of particular interest to students. They include civil law, home and family law, juvenile court, and laws related to alcohol, tobacco, drugs, and marijuana.[91]

The New Jersey based Institute for Political and Legal Education (IPLE) has included legal education as one important element in a total program of citizenship education. Great emphasis is placed upon student involvement in field experiences. The materials produced by this project have focused on the political nexus in which laws are created and administered. Pamphlets, filmstrips, and cassettes have been produced and workshops have been held for teachers and students. IPLE has received national validation from the U.S. Office of Education and has been conducting training workshops in a number of states during the past three years.[92]

Missouri has an extensive statewide program of law-related education for grades K-12. In 1969, the Missouri Bar established an Advisory Committee on Citizenship Education composed of educators and lawyers. Since that time, more than 3500 teachers have completed a graduate level course in law-related education, preservice courses have been instituted, an extensive film library has been acquired,

and comprehensive curriculum guides have been developed for grades K-12. Greatest emphasis has been placed on teacher training because teachers must assume the main burden of instruction and most of them lack an adequate legal background.[93]

The Missouri project has sought to build both a sound understanding of the philosophy of our legal system and a practical knowledge of law. However, it is not just a how-to-do-it street law program. Topics covered include: Why the law? , How the law develops and works, the court system, major Supreme Court decisions, the Bill of Rights, due process, and the philosophy and procedures of juvenile court. Prepared materials may be used for a separate course or integrated into various subjects.[94]

The Missouri Bar Association has helped to raise money to implement the program. Funding has come primarily from the Danforth Foundation and the Law Enforcement Assistance Administration. The Bar has also provided administrative staff and facilities. In addition to this, members of the legal profession provide expertise for teacher training and curriculum development. They serve as resource persons for classes and volunteer instructors for teacher training.[95]

The Cornell University Law Project was a reaction to a perceived narrowness in materials for civic education produced during the 1950's and 1960's. Their materials, published by Ginn and Company, centered on the objective of developing thought processes rather than on teaching substantive law. Law is considered in its role as an institution in American Society.[96]

Many established institutions have provided aid for the law-education movement. For example, the Lincoln-Filene Center has provided materials and held in-service programs since 1963, and the Social Science Consortium has developed the basis for a legal education program in Colorado.[97]

The programs discussed here, have, for the most part, been relatively extensive in scope and support. Many others could have been included if the length of this paper were of no concern. However, it seems appropriate to conclude this chapter by briefly examining some small programs which have originated in a single school.

In 1971, a St. Louis, Missouri Junior High School teacher, two student teachers, and a legal aid lawyer began a program in two classes. A year later, with help from the Board of Education and the Law in American Society Foundation, the program expanded to 40 classes in 20 schools. Materials were developed and workshops for teachers were held.[98]

This same year a teacher in New York State (Alternative West High School, city unknown) found his students interests and concerns aroused by the Attica prison riot. With student participation in all phases, a Crime and Society Curriculum was developed.[99]

A somewhat unique program has been developed to teach American Indian youth their rights. The semester course includes both the traditional topics of rights and responsibilities under the U.S. Constitution and the special topics of tribal law and sources of authority for Indian Schools.[100]

As mentioned earlier, one important source of information concerning law-related education is the Special Committee on Youth Education for Citizenship (YEFC) of the American Bar Association. YEFC does not produce materials or conduct workshops. It does, however, serve a very valuable function as a clearing house of information and assistance for those seeking to establish programs in their communities. In performing this role, the committee has analyzed most existing projects. They report that, in spite of rhetorical emphasis on processes, most projects tend to stress law content and concepts. The most important

objectives listed were generally: 1. increased knowledge and 2. appreciation of and respect for the legal system.[101]

This last observation brings to mind one of the underlying issues of the entire law-education movement--What are the objectives, what should they be, and will the present projects meet these objectives? Curriculum writers often enhance their efforts by elaborating numerous goals and objectives which they feel their curricula will accomplish. However, what the materials and strategies employed acually do is a better indicator of what the true objectives are. The "law and order" bias of law-focused education is evident in many of the projects examined. Whether or not this is a reasonable approach to citizenship education will be examined more fully in the concluding chapter of this study. First, however, we should examine some of the methods and strategies employed in law-related programs. Methods are as significant as content in assessing any curriculum's effectiveness.

IV. FOOTNOTES

[72] Thomas, "Lawyers and Teachers," p. 457.

[73] Charles J. White," Law Studies in the Schools," NASSP Bulletin 60 (April ,1976):70.

[74] Watt L. Black,"Law Focused Education Programs in the United States," Social Studies 66(January,1975): 11.

[75] White,"Law Studies in the Schools," p. 70.

[76] "Law in American Society," Social Education 34 (April,1970): 441-443.

[77] Cass,"New Approaches,"p.49.

[78] White,"Teaching Kids," p. 75.

[79] White,"Law Studies," pp. 71-72.

[80] "California's Law in a Free Society Program," Intellect 102 (February, 1974): 283.

[81] Mara Braverman," An Overview of the Law in a Free Society Project," Peabody Journal of Education 55(October,1977): 33-34.

[82] Ibid.

[83] White,"Law Studies,"p.70.

[84] Watt L. Black," Law-Focused Education: A Statewide Program," Peabody Journal of Education 55 (October,1977): 12-16.

[85] Black,"Law-Focused Education Programs," p. 12.

[86] White,"Teaching Kids," p. 75.

[87] Patricia A. Moseley," Law-Related Curriculum for Kindergarten-Primary Students," Peabody Journal of Education 55 (October,1977):17.

[88] Black,"Law-Focused Education Programs,"p. 13.

[89] David T. Naylor," A Community Based Approach to Law-Related Education: The Cincinnati Model," Peabody Journal of Education 55 (October, 1977): 24-27.

[90] James W. Keeler," Children and the Law...An Evolving Program for the Elementary School Student," Peabody Journal of Education 55 (October, 1977): 28-30.

[91] Thomas J. Flygare," Teaching Law in Elementary and Secondary School: A Growing Trend," Phi Delta Kappan 57 (May, 1976):617.

[92] White,"Law Studies,"p. 72.

[93] E.A. Richter and Keith Birkes," Rights and Responsibilities of Citizenship in a Free Society:Missouri's Law-Related Education Program," Peabody Journal of Education 55 (October,1977): 19-20.

[94] Ibid., p. 20-21.

[95] Ibid., p.21.

[96] Miller and Darnley," Law-Related Education," p. 11.

[97] Black," Law-Focused Education Programs," p. 13.

[98] Ibid.

[99] Patrick J. Pietrovito," Socialization in Legal Norms as Part of a High School Curriculum," The Social Studies 67 (March/April,1976): 74.

[100] Frederick L. Wilson. Student Rights and Responsibilities. A Law Focused Curriculum for American Indian High School Students. Phoenix: Bureau of Indian Affairs, 1975. (Boulder, Colo.,: ERIC Document Reproduction Service, ED 158 904, 1978) abstract.

[101] Miller and Darnley," Law-related Education," p. 40.

V. STRATEGIES FOR EFFECTIVE LAW-RELATED EDUCATION

In examining the rationale of the law-focused education movement, one discovers that considerable emphasis has been placed upon the development of skills in critical thinking--analyzing and classifying information, setting priorities, making rational decisions, etc. One source even spoke of the development of process oriented persons--those who have the skills to "cut through the issues" and reach conclusions.(see p. 19). Almost all law-related projects have some objectives similar to this.

In order to accomplish these skill-building goals, most projects advocate the use of certain strategies and methods. Teachers are warned to avoid teaching only facts and transmitting over-simplified values.[102] The components of an effective program should include: 1. teaching about basic legal concepts--fairness, tolerance, honesty, responsibility, etc., 2. improved teaching about fundamental concepts of American law such as the Bill of Rights, 3. developing an appreciation of the scope of the law and its limits, and 4. inquiring into what legal institutions are really like.[103]

Good programs cannot ignore controversy, without controversy there is no need for law. Students should feel they can have impact and should be encouraged to examine the processes of rule-making and rule-enforcing with teachers and administrators.[104]

> The effective approach is one in which students are asked to work through legal problems and trouble over their solutions rather than merely to memorize black letter rules of law.[105]

Other proponents of law-focused education urge that pompous patriotic essay contests, isolated field trips to the courthouse ,

and sermons from judges be avoided. Instead, young people should get into the community to observe our system of justice at work.[106]

Teachers would be better prepared to deal with law-related topics if law was a part of the undergraduate college curriculum. John Pittenger has urged that lawyers teach more often in schools and colleges. The study of law, he said, is at least as civilizing as the study of economics and chemistry.[107]

David Naylor has identified the following important components of a law studies program: 1. introducing law, 2. exploring the nature of law, 3. examining legal concepts and issues, 4. understanding legal processes, 5. clarifying values and attitudes about law, and 6. forecasting possible futures based on assumptions about law and law-related issues. [108] The verbs used here--exploring, clarifying, forecasting-- imply inquiry or similar methods of instruction. Such methods are strongly advocated by many advocates of law-related education. One recent study examined five law-focused projects and found that four of them called for use of the inquiry method. This presupposes that teachers have an understanding of the inquiry process and can handle it in their classrooms. If this is not the cas, then law-related programs may fail at the classroom level.[109]

Another study which evaluated law-related curriculum materials found a wide variety of teaching methods proposed. Role-playing was often suggested, especially for younger students. Various means of promoting discussion of legal conflicts were suggested for the secondary student. Again the point seems to be to get away from lecturing about facts and to promote inquiry into processes and issues.

Among the techniques suggested by some law-related projects is values clarification. This seems quite reasonable in view of the fact

many proponents of the law-related curriculum are concerned with the attitude of youth towards law and law enforcement. Values clarification is, however, prinarily a technique of opening up discussion of attitudes and encouraging students to identify and examine their own attitudes. Teachers must be open-minded and prepared to encounter values in the classroom which differ from their own. Teachers ought to clarify their own values about legal issues before using this technique with their students.[110]

A brief examination of one publication of the Institute for Political and Legal Education, Law and the Family, gives some suggestion of the various strategies suggested in law-focused materials. In chapters dealing with topics which range from marriage to divorce, activities suggested include definition exercises, moot court, discussion of cases, interviews, and attitude surveys. [111] The emphasis is on a variety of approaches to the topics under study. This is not unique to law-related programs. Most educators are well aware that different methods reach different students and teach different lessons. Variety of method is essential to any effective curriculum.

In an article in Social Education, David Naylor gave examples of lessons for law-related programs. In addition to techniques mentioned earlier, he suggested use of stories, letters to the editor, forced choices, field experiences, and simulations.[112]

Several educators have written about techniques for use with elementary students. They call attention to the fact that few commercial texts are prepared for this level. One author suggested the use of Socratic dialogue--pressing elementary students to examine the "whys" of their answers. He likewise urged that case studies and mock trials cover cases drawn from the private sector, as well as criminal and constitutional law. Private law is often neglected in educational programs, although it is far more likely to be of concern

to most people during their lifetimes.[113]

Apparently, those who have developed programs in law-focused education were concerned that a variety of instructional techniques be used and that these techniques promote the development of critical thinking skills. As with any curriculum, the real test comes in the classroom. Are teachers equipped to handle these techniques? Will they use them in their classrooms? Teacher training is certainly one of the vital concerns of law-focused education.

V. FOOTNOTES

[102] Joel F. Henning," Law-Related Education: What Works and What Doesn't," in Reflections on Law-Related Education: Working Notes No. 3 (Chicago: YEFC American Bar Association,1973), p. 2.

[103] Ibid.

[104] Ibid., p.11.

[105] Ibid.,p.9.

[106] Pittenger," The Spirit of Liberty," p. 7.

[107] Ibid.

[108] David Naylor,"Law Studies in the Schools: A Compendium of Instructional Strategies," Social Education 41 (March, 1977): 170.

[109] Miller and Darnley," Law-Related Education," p. 38.

[110] Dorothy Levenson," Making a Case for Law Education," Teacher 92 (April, 1975): 59.

[111] John F. Khanlian,ed. Law and the Family: A High School Curriculum Guide. Pitman, N.J.: Institute for Political and Legal Education, 1976. (Boulder, Colo.,: ERIC Document Reproduction Service, ED 153 932, 1978). abstract.

[112] Naylor," Law Studies in the Schools," p. 170-78.

[113] Roger Berg," A New Model for Law-Focused Education," Social Education 39 (March, 1975):163.

VI. ISSUES AND CONCERNS FOR THE FUTURE OF LAW-RELATED EDUCATION

Throughout this study, there emerge issues of concern to those who want to see law-related education achieve a stable place in the school curriculum. The future of law-focused education could well depend upon the resolution of these issues.

It has been estimated that no more than 10% of our students and educators have been exposed to meaningful instruction in law-related education. There are relatively few elementary programs and many areas have no secondary programs. This indicates needs for more in-service education and more funding of projects.[114]

Other areas of concern include the timing of instruction--what age is best ,the ideology which may be consciously or unconciously fostered, and the interaction between lawyers and educators.[115] Some writers are concerned about the relationship between law-focused education and school governance. Students learn a lot beyond the classroom.[116] These represent only a few of the concerns expressed in the literature.

To impose some order to these issues, let us consider them in the following categories: 1. goals or purposes, 2. what to teach, 3. when to teach, 4. the role of lawyers, and 5.funding. These categories appear to cover most of the concerns.

One key issue of legal education concerns the goals and purposes of the programs. It has already been noted that law-focused education has received support from both liberal and conservative groups which often have different motivations.

> The problem separating the liberal reformers and conservatives is their definitions of "enlightened" and "responsible". This problem is the heart of the "what" issue of law-related education. The differences in definition arise back in the "why" question in terms of anti-social behavior, citizenship education, and the need for process-oriented persons. These differences anticipate the "how" section in terms of what law-related education materials will include. The disagreement goes squarely to the outcome of the whole law-related education endeavor in terms of what type of student development is anticipated as the result of law-related education.[117]

As noted earlier, conservatives feel our way of life is threatened by crime and juvenile delinquincy and they view law-focused education as one means of attacking this problem. Support from the Law Enforcement Assistance Administration is essentially of a conservative nature. Liberals are concerned with more than just anti-social behavior. They feel that a whole series of problems constitute a crisis--disrespect for law, apathy, social disillusionment, corrupt public officials, environmental problems, and the gap between rich and poor. The question is, will contradictory support lead to a destructive collision, or result in a unified effort. [118]

One author, noting the "law and order" bias in much legal education, expressed the fear that we were attacking the problem at the wrong level. The solution to the social crisis is often presented as socialization for better compliance; when, in effect, what we need is more freedom and more participation in law-making. Dealing with social unrest requires an emphasis on social change through making law.[119]

Fred M. Newmann has raised a point concerning the ability of the schools to have much impact in the area of civic education. He feels that non-school agencies, such as mass medica, peer groups,

the family, and corporate institutions, have such enormous influence on students as to either nullify the work of schools or to render it unnecessary.[120]

Some critics have also said that law-related programs do not clearly articulate their goals, vacillating between increasing student sensitivities to legal issues and teaching substantive law. They often fail to build a rationale for the inclusion of an extensive law program in the social studies.[121]

If any curriculum is to be effective, it should have clearly articulated goals which are reasonable and rational. At least some advocates of law-focused education appear to be too idealistic in their expectations. Certainly, improved social behavior is a desireable goal and it is doubtful that legal education would produce any harmful effects in this area of concern. However, one has to be alert to the dangers of expecting too much. If agencies such as the LEAA are primarily concerned with curbing anti-social behavior, will they cease to fund projects in areas where delinquency rates do not decline? Will law-focused education be abandoned as a failure if the crime rates remain high?

It would seem that law-related education would be on a sounder footing if programs placed their primary emphasis on goals involving development of skills and knowledge for students. If there are beneficial social results, so much the better. One cannot ignore the fact that schools are only one of many influences young people encounter. Crime is a complex social problem with complex solutions. We should not expect education alone to meet this crisis.

Law-focused education, like any other curriculum movement, must continually evaluate and rethink its goals and objectives, if it is to remain a vital and effective movement. Continuous articulation

of purpose is essential.

Closely related to the issue of purpose is the issue of what to teach in law-related programs. One one side of this issue stand those who feel that we need to reach a fundamental level of student's experiences. They argue that traditional instruction about the Constitution and the Bill of Rights is too abstract. Instruction should cover the entire range of interactions in our society, with criminal law as only one part--not the entire system. This position is closely related to the purpose of changing student's attitudes.

> We as a society are faced with the existence of an increasingly larger group whose improper attitudes and orientation must be changed.[123]

On the other side is the view that we need to teach law in its broader context. This was the conclusion of a study done by the U.S. Office of Education. The group also recommended that the office take an initiative in law-related education. Should this occur, it could lead to a de-emphasis of the study of criminal and juvenile law and the Bill of Rights.[124] One might presume that the Bill of Rights would still be a major topic, but the emphasis would shift away from individual rights to the broad social significance of these amendments.

The 400 law-related projects in existence are quite varied in what they teach. Some concentrate on philosophy, social perspective, or timeless questions of justice, while others deal with everyday law.[125]

One author even questions teaching the principle of the rule of law , not of men. Stephen Kahn says that this have been obsolete since the days of Justice Oliver Wendell Holmes, when legal realism replaced legal positivism as the dominant legal philosophy. The study of law is largely that of predicting what courts will actually do. [126]

> Citizenship education has often been regarded as teaching youngsters to "respect the law". We ask a lot when we ask them to respect something which they can't understand and which really doesn't exist. What we really want them to respect is a system for settling differences through orderly procedures rather than by violence.[127]

There should be room within law-focused education for the study of law in its broad role in American society, as well as for the study of practical "street law". The danger lies in trying to accomplish too many different objectives in a single unit of study. It is better to study one or two topics thoroughly to avoid confusion. While both views can be accomodated, there is one particularly strong argument for emphasis on the role of law in American society--we are trying to educate young citizens, not young lawyers. The practical side of instruction should not overly emphasize criminal law. After all, most of us have a far greater need to know about civil and business law.

The issue of what to teach is related to the issue of when to teach it. Educators have long recognized the need to gear instruction to the level of experience and interest of the student. For example, one might prefer to introduce elementary students to the difference between rules and laws. Fifth graders might study laws which protect children, while junior high students deal with due process.[128]

It has been observed that if problems are presented to students at the wrong stage of development, the school could create citizens who see the problem; but, lacking the understanding or maturity to deal with it, become cynical instead of enlightened.[129] Of course, determining the proper age to teach a particular topic is a task in itself--and far beyond the scope of this paper. The number of adult cynics which abound in America, might lead one to question whether any of us ever achieve the maturity of deal with some issues.

Of more immediate concern is the fact that three out of four law-related projects are designed for secondary students, even though

most educators agree that attitudes are formed at an early age.[130] Numerous articles have noted that few commercial materials are geared to elementary children. Some projects have placed considerable emphasis upon elementary education; however, the majority are geared to the secondary level. Strenghthening elementary programs would enhance the overall effectiveness of law-focused education.

Another major issue in law-focused education is the role of the legal profession. The Washington, D.C. Street Law Program involves law students as full-time teachers, but this is somewhat unique. Most projects use lawyers as resource persons and the extent of lawyer involvement varies considerably. It is also common to find that projects are directed by boards having representatives from both professions--education and law. In what way can lawyers most effectively aid law-focused education?

The LEAA believes that lawyers and law-enforcement groups have the capacity to define and initiate appropriate programs. The educators role is reduced to following instructions and influencing adolescent values and behavior.[131] This position seems consistent with the LEAA's primary goal of reducing anti-social behavior. In spite of LEAA's strong influence, most projects seem to be genuine cooperative efforts, with educators playing a truly substantive role. John Pittenger maintains that an effective law program requires that the lawyer come into the classroom and teach. It is doubtful, however, that he intends that the lawyer assume full responsibility for instruction. Earl Morris, on the other hand, feels that the lawyer is essential in helping the teacher develop instruction in analytical skills.[132]

It should be noted that if lawyers are to be effective in the classroom, they will require briefing as to what they can expect from students,etc. It is often very easy for those not familiar

with students to direct their instruction in the wrong manner. They may be over student's heads, or they may insult their intelligence through oversimplification.

Simple arithmetic dictates that, if law-related education is to become widespread, lawyers and law students cannot be expected to staff a large number of classes--even if they would do the best job, which is doubtful. There are only 450,000 lawyers and law students, compared with 2½ million teachers.[133]

The ABA-YEFC has stated that lawyers can serve most effectively in educating teachers about law and the legal system. They can also be useful as resource persons in the classroom; for example, they make good judges for mock trials. They also have a significant role to play in developing curricula, working with educators, and in helping educators to adapt materials for their own use.[134]

Lawyers should serve on advisory committees for projects and may prove effective in persuading school boards and administrators that programs are needed. In many locations they have been very instrumental in securing community support for legal education--including finanacial support in many areas.[135] This type of role for the legal profession seems to be the most practical. Educators should be in control of classroom activities, but lawyers can provide essential support and expertise. If educators are to build and maintain effective law-focused programs, they must be properly equipped to do so. This brings us to the issue of teacher training.

A YEFC study done in recent years indicated that only 1% of the teachers in law-related education have received adequate training. The committee called for more pre-service education and indicated that teacher training institutions held the key to success.[136] Other studies have revealed a lack of leadership by teacher education

institutions compared to in-school projects undertaken. Of 88 teacher education projects reported by the ABA in 1974, only 15 were directed by teacher education institutions.[137] In addition, Koelling and Fehrle called for law-focused education pertaining to their subjects for all prospective teachers.

Certainly, one must agree that teacher training is essential to an effective law-focused program. It is equally certain, that, in the past, teacher training institutions have provided little or no background in law for teachers. If law-focused education is to become a permanent part of the curriculum, then teacher training institutions must offer pre-service courses. However, one cannot forget the importance of in-service education. Given the fact that there are few openings for new teachers each year and the fact that fewer college students are preparing to enter teaching, one must assume that most law related education will be conducted by teachers who are already in the classroom. They can be most effectively reached by in-service programs. While forward-looking teacher training colleges should take an initiative in sponsoring in-service education, they may not always have the best resources to do the job. The faculty members of these institutions often lack adequate legal fackground themselves. If lawyers are needed to provide expertise, bar associations and related groups will need to be involved in developing in-service programs. The most effective training might come from cooperative efforts in which educators and lawyers work together to provide instruction in both methodology and legal knowledge to prospective teachers.

Even though 65 teacher training institutes were held in 1977, more efforts are needed if an adequate number of teachers are to receive

training. (see footnote #42). It should be remembered also, that a one-week summer institute may not offer adequate background to a teacher who wishes to pursue law-focused education. Follow-up workshops and college extension courses should be available. In this the teacher training colleges may have a significant role to play, if adequate funding is available.

As noted earlier, many law-focused education projects have been financed by local, state, and regional units of the Law Enforcement Assistance Administration. These projects, for example Washington's Street Law Project, typically reflect LEAA's somewhat conservative approach to education. Many projects are designed so as to appeal to LEAA's funding standards which, necessarily, reflect the agencies Congressional mandate to reduce crime. In fact, one particular grant for citizenship education is dependent upon the locality having a high crime rate.[138]

LEAA is not the only source for funds. A 1975 study by the ABA found that approximately 30 private foundations have provided funds for law-related education.[139]

Funding through federal grants and private foundations is available to begin law-focused education programs. Two ABA publications offer guidelines and advice for those seeking such funds. They are: 1. Law-Related Education in America: Guidelines for the Future by Joel F. Henning, et.al., and 2. The $$ Game: A Guidebook for the Funding of Law-Related Educational Programs, edited by Charles J. White, III.

Although outside funding is available, projects should seek a broad base of financial support and local funding whenever possible. More than one source of funds helps a program to survive budget cuts

and local support is essential if programs are to be lasting. This need not be unusually expensive. Once a solid beginning has been made in teacher training and materials have been developed or acquired, programs can be relatively self sustaining. They need not be separately maintained outside the regular social studies programs. Outside funding may be necessary only in the initial stages.

What of the future? Will law-related education become a mere curiosity of the 1970's or will it remain as a lasting curricular reform? Law-focused education grew initially because of the turbulence of the 1960's which gave evidence of widespread ignorance of our legal system. It received added impetus from the growing "values" education movement and from government and foundation interest which provided funds.[140] Murry R. Nelson feels that this growth will continue because of the developement of community-relevant programs, increasing support from the justice community, continued good prospects for funding, and growing public interest.[141]

If law-focused education is to have lasting impact it must avoid becoming too particularized and routine. Rather than concentrate upon particular laws and particular penalties, law-related studies must offer a more pervasive inquiry into life in our society. It must be set in the context of other studies. In addition law-related programs must resist any pressures to de-emphasize direct student involvement in learning. To avoid becoming routine, law-focused programs must continually train teachers and develop new curriculum.[142]

While law-focused programs are somewhat different from traditional programs in content and methodology, they are not so unique as to be beyond the mainstream of civic education. Social studies courses have always included instruction on the Constitution and the Bill of Rights. Business law and consumer law have likewise been offered in

business education department. The major difference seems to be a greater emphasis upon legal processes and upon the role of law in society. In the area of skills, there is more emphasis upon building analytical ability. These are all positive changes which can enrich citizenship education. With realistic goals and careful implementation law-focused education should survive.

> This movement to see that law-related studies are added to the elementary and secondary curriculum is real. It is not a hypothetical program of educational reform that will die aborning.[143]

VI. FOOTNOTES

[114] Gross," Law-related Education,"pp. 4-5.

[115] Freund,"Law in the Schools," pp. 365-366.

[116] Gross,"Law-Related Education,"pp. 4-5.

[117] Miller and Darnley,"Law-Related Education,"p. 23.

[118] Ibid.,p.16.

[119] Pietrovito,"Socialization in Legal Norms,"p.73.

[120] Miller and Darnley,"Law-Related Education,"p. 20.

[121] Ronald A Gerlach,"Law in the Social Studies," Social Studies 61(March, 1970):108.

[122] William M. Gibson,"Teaching Preventive Law," NASSP Bulletin 53 (December, 1969): 58-59.

[123] Ibid.,p.60.

[124] Miller and Darnley,"Law-Related Education," p. 46.

[125] White,"Law Studies,"p. 69.

[126] Stephen C. Kahn," It's Time To Teach Jurisprodence in High School," Social Studies 66 (January, 1975): 3-5.

[127] Ibid., p.6.

[128] Levenson, "Making A Case," p. 60.

[129] Freund,"Law in the Schools," p. 366.

[130] Miller and Darnley," Law-Related Education," p. 35.

[131] Ibid.,pp.20-21.

[132] Ibid.,p. 21.

[133] White,"Law Studies," p. 70.

[134] "Action Programs to Promote Justice," Intellect 103 (November, 1974): 78.

[135] Henning," What Works and What Doesn't,"p.11.

[136] Miller and Darnley," Law-Related Education," p. 38.

[137] Charles H. Koelling and Carl C. Fehrle," Directions in Law-Focused Teacher Education," Education 97 (Spring, 1977): 294-95.

[138] Dr. Pat Ashley, Director of Social Studies, Charlotte-Mecklenburg Schools, Charlotte, N.C.

[139] Joel F. Henning, et. al. Law-Related Education in America: Guidelines for the Future, Chicago: American Bar Association, 1975. (Boulder, Colo.,: ERIC Document Reproduction Service, ED 107 555, 1975). p. 67.

[140] Koelling and Fehrle," Directions" p. 294.

[141] Murry R. Nelson, Law in the Curriculum. Bloomington: Phi Delta Kappa Educational Foundation, 1978. (Boulder, Colo: ERIC Document Reproduction Serivice, ED 153 936, 1978), abstract.

[142] O.L. Davis, Jr.," A Focus on Law: Confronting Curriculum Concerns," Peabody Journal of Education 55 (October, 1977): 36-37.

[143] Henning," What Works and What Doesn't," p. 11.

APPENDIX

MATERIALS FOR LAW-RELATED PROGRAMS

The following is a representative listing of materials available for use in law-focused educational program. They have been classified as to type, content, and grade level. This list was compiled from the following sources:

Davison, Susan E.," Curriculum Materials and Resources for Law-Related Education." Social Education 41 (March 1977): 184-193.

Davison, Susan E., ed. Gaming: An annotated Catalogue of Law-Related Games and Simulations. Chicago: ABA Special Committee on Youth Education for Citizenship, 1975.

Davison, Susan E., ed. Media: An Annotated Catalogue of Law-Related Audio-Visual Materials.Chicago: ABA Special Committee on Youth Education for Citizenship, 1975.

I. MATERIALS FOR TEACHERS

The Adversary Process.Law-Focused Audio-Visual Series. Law in American Society Foundation. (1972).
Type: sound slides
Content: Analyzes various aspects of the adversary system and fact-finding procedures.

Case Study Method. Law-Focused Audio-Visual Series. Law in American Society Foundation. (1972).
Type: sound slides
Content: Uses Reynolds v. U.S. to demonstrate use of the case study method.

Guidelines for Using A Social Simulation/Game.Chapman, Katherine. Social Science Education Consortium, Inc. (1973).
Type: paperback
Content: How to prepare for, conduct, and debrief simulation activities.

Law in American Society. Law in American Society Foundation.
Type: quarterly journal
Content: Background articles, outlines for simulations, mock trials, and other classroom activities.

Law-Focused Education: The Beginning of an Idea.Law-Focused Audio-Visual Series. Law in American Society Foundation. (1972).
Type: sound slides
Content: Need for providing law-related education.

The Mock Trial. Law-Focused Audio-Visual Series. Law in American Society Foundation. (1972).
Type: sound slides
Content: Procedures for arranging and conducting mock trials.

Mock Trial Manual.New York State Bar Association. (1975)
Type: paperback
Content: Assistance in preparing mock trials for civil cases, criminal cases, and appeals. Includes one sample script and follow-up questions.

To Reason Why.Perennial Education, Inc. Goldsholl Associates for ABA-YEFC. (1973).
Type: 16 mm film.
Content: Introduces law-related civic education to educators and legal professionals.

Role-Playing Methods in the Classroom. Science Research Associates,Inc. (1966).
Type: paperback
Content: Theory and Practical application of role play in the classroom--sample activities.

II. MATERIALS FOR USE IN PRIMARY GRADES.

Children and the Law.Great Plains National Instructional Television Library. KTCA-TV and the Minnesota State Bar Association. (1972).
Type: videotapes; 16 mm films
Content: Basic concepts--need for law and law enforcement.

Citizenship Adventures of the Lollipop Dragon. Society for Visual Education (1976).
Type: color sound filmstrips
Content: Freedom of choice, authority, fairness, choosing leaders, rules, majority, changing rules.
Methods: stops for discussion, open-ended questions.

Shiver, Gobble, and Snore: A Story About Why People Need Laws. Simon and Schuster (1972).
Type: harback book
Content: Story of 3 friends who discover the need for laws. Activity suggestions included.

Why We Have Laws: Shiver, Gobble, and Snore.(Basic Concepts Series). Learning Corporation of America (1970).
Type: 16 mm color film
Content: Same story as book--three friends who discover the need for laws.

III. MATERIALS FOR USE IN UPPER ELEMENTARY GRADES.

Citizenship Decision-Making Instructional Materials.Citizenship Development Project: Experience-Based Education for a Complex Society. Citizenship Development Program. (1976).
Type: paperback
Content: Conflict resolution, need for rules and laws, methods of issue analysis, authority, other basic legal concepts.
Methods: Exercises to develop awareness and understanding of

political decision-making.

Foundations of Justice. Law in American Society Foundation. Charles E. Merrill Publishing Co. (1975).
Type: color sound filmstrips, student activity books.
Content: Organization, land use, and rights, the adversary process, value judgements.
Methods: mock trials, values clarification exercises, case studies, vocabulary exercises.

The Invisible Force. American Bar Association.(1971).
Type: sound filmstrip
Content: How rules and laws function to protect us and help us get along with others.

Law and Justice for the Intermediate Grades: Making Value Decisions. Pathescope Educational Films, Inc. (1974)
Type: color sound filmstrips
Content: 3 cases involving 1. evidence in a theft, 2. the limits of loyalty, and 3. deciding whom to hire.
Methods: open=ended discussion questions, decision-making.

Law in Action Series. Riekes, Linda and Mahe, Sally. West Publishing Co. (1975).
Type: paperbacks, silent filmstrips.
Content: courts and trials, juvenile law, lawmaking, consumer law, attitudes toward police.
Methods: inquiry-oriented activities.

Law in a New Land. Trailmarks of Liberty Series. Ratcliffe, Robert h.,ed. Houghton Mifflin Company. (1972).
Type: paperback
Content: colonial legal cases, the Constitution, the Bill of Rights, major court decisions.
Methods: discussion questions, drawings, and photos.

Micro-community II for Elementary Grades 4-5-6. Dave, Ann. Churchill, Holly, and Jarvis, William B. Classroom Dynamics Publishing Co. (1973).
Type: kit, student worksheets, forms, posters, and play money
Content: Students creat a community, write constitution, make laws, etc.
Methods: simulation.

Resolving Conflicts: Mock Trials. Law-Focused Audio- Visual Series Law in American Society Foundation. (1972).
Type: sound slides
Content: Case studies to go with Law in a New Land. Houghton Miffling Co. (1972).

You Be the Judge.AIMS Instructional Media Services, Inc. Honore, Paul. Graphicom. (1972).
Type: sound slides
Content: Audience "judges" 3 cases involving shoplifting, truancy, and drug selling.

IV. MATERIALS FOR ELEMENTARY AND SECONDARY STUDENTS.

Law in a Free Society Instructional Units. Law in a Free Society (L975-77).
Type: sound filmstrips, resource books, evaluation instruments, separate kits for 6 graded levels.
Content: Authority, privacy, responsibility, justice, diversity, freedom, participation, property.
Methods: students examine specific problems related to each topic.

The Rights and Responsibilities of Citizenship in a Free Society: A Law Oriented Curriculum for Grades K-12. The Missouri Bar Advisory Committee on Citizenship Education and the Missouri Dept. of Elementary and Secondary Education. The Missouri Bar. (1976)
Type: book
Content: 200 educational activities cross-indexed by educational objectives, age group, and course subject. Also resource text for teachers. Topics include major court decisions, Bill of Rights, Civil liberties.

V. MATERIALS FOR SECONDARY STUDENTS.

The American Constitutional Convention. Coplon, William D. and Stitelman, Leonard. Science Research Associates., Inc. (1969).
Type: game
Content issues which were considered by the founding fathers in writing the Constitution.
Method: simulation.

The American Judicial System. Oxford Spectrum Series. Starr, Isidore. Oxford Book Company. (1972).
Type: paperback
Content: history and operation of the Supreme Court. Many landmark cases.
Methods: discussion questions, activities and follow-up readings.

The American Legal System. Summers, Robert. S. , Campbell, A.B., Hubbard, Gail. Ginn and Company. (1974).
Type: booklets
Content: Need for law, legal techniques, law and social change, Constitution and basic social values, limits of law.
Methods: case studies, inquiry, open-ended discussions.

Bill of Rights in Action Newsletter. Constitutional Rights Foundation. CRF School Year Quarterly.
Type: quarterly newsletter, back issues available.
Content: classroom activities, book reviews, cartoons, cases,etc.
Methods: simulations, mock trials, etc.

The Bill of Rights in Action Series. BFA Educational Media. (1966-76).
Type: 16 mm color films.
Content: cases involving issues of individual rights,for example--due process, freedom of religion, speech, press, etc. segregation, women's rights.
Methods: Cases are left open-ended to promote discussion.

Certain Unalienable Rights... City-State-Federal Government Series. McGraw-Hill Films.(1970)
Type; 16 mm film
Content: Declaration of Independence related to contemporary political events.

Civil Liberties: Case Studies and the Law.Parker, Donald, O'Neil, Robert, and Econopouly, Nicholas. Houghton Mifflin Company, (1974).
Type: paperback
Content: Rights of accused, equal opportunity, property rights, freedom of religion, speech, press, and assembly.
Methods: hypothetical cases and simplified examples.

The Civil Rights of Students. Critical Issues in Education Series. Schimmel, David, and Fischer, Louis. Harper and Row Publishers, Inc. (1978).
Type: paperback.
Content: Freedom of speech, freedom of the press, freedom of association, freedom of religion, and conscience, dress codes, racial and ethnic segregation, sex discrimination and due process.
Methods: Case study.

Constitution: A Simulation of a Convention Called to Revise the United States Constitution. Kennedy, Charles L. Interact. (1974).
Type: game
Content: the Constitution
Methods: simulation.

The Constitution and Fair Procedure. The Constitution in Action Series. Indiana University Audio-Visual Center. (1959).
Type: 16 mm film.
Content: case of Leyra v. Denno-appeal of a murder conviction.

The Court System. Lex Singularis Series. Academic Support Center KETC-TV, The Missouri Bar. (1973).
Type: videotape
Content: The dual court system in the U.S.

Crime and Justice. Teaching Resources Films. (1974).
Type: color sound filmstrip
Content: prison and court reform, gun control, disadvantages of the poor in the justice system.
Method: open-ended discussion.

Critical Thinking: Making Sure of Facts. Coronet Instructional Media. (1974).
Type: 16 mm film.
Content: How to separate facts from assumptions. Comparing sources of facts and examining the competency of sources.

Due Process of Law. Lex Singularis series. Academic Support Center KETC-TV., The Missouri Bar (1973).
Type: videotape
Content: "football" game--topic procedural and substantive due process.

Due Process of Law. The Bill of Rights in Action Series. BFA Educational Media. (1971).
Type: 16 mm film
Content: case study of due process of law.

Fair Trial. Fundamental Freedoms Series. Xerox Education Publications (1973).
Type: sound filmstrip, student source books, duplicating masters.
Content: Historical background on trials, examples of difficult trial situations, plea bargaining.

Free Press vs. Fair Trial by Jury: The Sheppard Case. Our Living Bill of Rights Series. Encyclopedia Britannica Educational Corporation. (1969).
Type: 16 mm films.
Content: issue of fair trial vs. free press--famous murder case.

The Gas Chamber. Correctional Service of Minnesota. (1974).
Type: tape cassette
Content: the true story of an execution.

Great Cases of the Supreme Court. Trailmarks of Liberty Series. Ratcliffe, Robert H., ed. Houghton Mifflin, Co. (1975).
Type: paperback
Content: famous cases on freedom of religion and expression, search and seizure, slavery and citizenship, the right to vote, equal opportunity, and criminal procedure.
Methods: discussion questions and activities.

How Law Develops. Lex Singularis Series. Academic Support Center. KETC-TV, The Missouri Bar. (1973).
Type: videotape
Content: How law must change to meet the needs of society--procedures for change.

How Law Works. Lex Singularis Series. Academic Support Center. KETC-TV, The Missouri Bar. (1973).
Type: videotape
Content: How law works through the adversary system and regulatory agencies.

Innocent Until... Finn, Peter. Games Central (1972).
Type: game
Content: manslaughter case.
Method: simulation, mock trial.

In Search of Justice. Law in American Society Foundation. Charles E. Merrill Pub. Co. (1975).
Type: color sound filmstrips, student activity books
Content: police power, individual rights, juvenile justice, free speech, discrimination, consumer law, rights of accused, landlord/tenant relationships, welfare rights.
Methods: mock trials, values clarification, case studies, vocabulary exercises.

The Insiders. Correctional Service of Minnesota.(1970).
Type: 16 mm film.
Content: the story of a prison--told and filmed in part by an inmate.

Interrogation and Counsel. Bill of Rights Series. Churchill Films. (1967)
Type: 16 mm film
Content: Stop-action film dealing with use of the 5th amendment right to counsel, etc.

In the Name of the Law. Correctional Service of Minnesota.
Type: 16 mm film
Content: Street crimes and respect for authority, especially as seen in black ghettos.

It's Your Right: The Law Says... National Education Association and the Associated Press.(1972).
Type: sound filmstrip, multi-media kit.
Content: rights of juveniles to due process and to free assembly and press.

Juris: An Interaction Unit Introducing Contracts, Torts, Juvenile, and Criminal Law. Zarecky, Gary, and McCarty, William M. Interact. (1975).
Type: paperback
Content: contracts, torts, juvenile law, criminal law,
Methods: investigation of hypothetical cases.

Jurisprudence. Vail, James N. Jurisprudence, Ltd. (1974).
Type: game
Content: board game stressing substantive knowledge of due process rights and criminal justice procedures
Method: board game.

Jury Game. Weintrab, Richard; Kreiger,Richard; Echan, George; and Taylor, Stephen C. Social Studies School Service. (1974).
Type: game kit
Content: 2 civil cases, 2 criminal cases.
Method: simulation, mock trial.

Justice and Order Through Law. Summers, Robert S., Campbell, A.B., Bozone, J.P., Ginn and Company (1974).
Type: paperbacks
Content: civil, criminal, and constitutional law.
Methods: real and hypothetical cases, inquiry, factual and open-ended questions.

The Justice Game. Schloat Productions, Inc. (1974).
Type: color, sound filmstrips.
Content: due process,the rules of legal process, problems of pretrial release, disadvantages of the poor, plea bargaining, questions the availabilityof equal due process.

Justice in the Marketplace. Changing Times Education Service. (1974).
Type: sound filmstrips, master activity sheets.
Content: decision-making in various situations in which young consumers try to get justice.

Justice in America Series. Law in American Society Foundation. Houghton Mifflin Co. (1974).
Type: paperbacks
Content: criminal law, landlord/tenant relationships, city government and urban problems, consumer law, welfare law, juvenile law.
Methods: case studies, discussion questions.

Justice, Liberty, and Law. Bill of Rights Series. Churchill Films. (1968).
Type: 16 mm films
Content: How to keep order while protecting individual rights. Comparison of past and present justice systems--Gault case--juvenile justice.

Justice Under Law: The Gideon Case. Our Living Bill of Rights Series. Encyclopedia Britannica Educational Corp. (1967).
Type: 16 mm film.
Content: important case of an indigent defendant--right of legal representation.

Juvenile Court. Wiseman, Frederick. Zipporah Films.
Type: 16 mm film.
Content: actual behind the scenes sights and sounds of a juvenile court in Tennesee. Cases of child abuse, runaways, unwanted children, etc.

Kids in Crisis. Clark, Todd; Weintraub, Richard, Kruger, Richard; and Mosley, Sandra. Social Studies School Service. (1975).
Type: game kit
Content: youth delinquincy, child abuse and neglect--actual cases.
Methods: simulation, mock hearings, juvenile dispositional hearings, and adult sentencing hearings.

Landmark Decisions of the Supreme Court. Doubleday Multimedia.
Type: sound filmstrips.
Content: Marbury v. Madison, Dred Scott v. Sandford, The Supreme Court and the New Deal, Brown v. the Board of Education, Baker v. Carr.

Law: A System of Order. Humanities Series. McGraw-Hill Films. (1977)
Type: 16 mm film
Content: Basis of law as a practical necessity of society, Why law changes with changing times.

Law in a Democracy Series. Guidance Associates. (1973-75).
Type: color sound filmstrips,
Content: the limits of law, the role of police, legal process, correctional reform.

Law: You, the Police, and Justice. Contact Series. Scholastic Book Services. (1968).
Type: record
Content: views of police, lawyers, judges, about aspects of law.

Law: You, the Police, and Justice. Contact Series. Goodykoontz, William, ed Scholastic Book Services. (1971).
Type: kit-student books and logbooks.
Content: need for law, role of the police, arrest and trial, rights of the accused, citizenship rights and duties..
Methods: readings, hypothetical cases, etc.

The Machinery of Justice. Walt Disney Educational Media Co., (1974).
Type: sound filmstrips.
Content: juries, due process, judges. law enforcement, lawyers, prisons.

Moot: A Simulation of Legal Procedures Derived From Juvenile and Adult Law Cases. Zarecky, Gary. Interact. (1972).
Type: game kit
Content: cases, drugs, juvenile, contracts, murder, assault and battery, school law, draft evasion, robbery.
Method: role-playing, simulate crimes, arrests, and trials.

Ninth Justice: A Board Game of the Supreme Court and Judicial Process. American Political Behavior Series. Gillespie, Judith. Ginn and Company. (1972).
Type: game
Content: judicial process of the Supreme Court
Methods: gaming with hypothetical cases.

Our Living Bill of Rights Series. Starr, Isidore. Encyclopedia Britannica Educational Corporation.(1968).
Type: paperbacks and 16 mm films
Content: landmark cases of the Supreme Court. Fair housing, school desegregation, free speech, religous freedom, free press vs. fair trial.

The Plea. Under the Law Series. Walt Disney Educational Media Company. Abbot, Philip. The Nelson Company. (1973).
Type. 16 mm film
Content: Stop action film about plea bargaining.

Plea-Bargaining: A Game of Criminal Justice. Katsh, Ethan; Pipkin, Ronald; Katsh, Beverly. Simile II. (1974).
Type: game
Content: the pressures of over-crowded dockets and justices and injustices of plea-bargaining.
Method: role-playing.

Point of Law. Lipman, Michael. Minnesota Mining and Manufacturing Co. (1972).
Type: game
Content: 100 actual cases.
Method: students study facts and possible decisions--try to pick decision that court actually made.

Police Patrol. Clark, Todd. Simile II (1973)
Type: game
Content: everyday duties of a policeman, questions of individual rights and authority.
Methods: role-playing, attitude surveys, etc.

The Pursuit of Justice: An Introduction to Constitutional Rights. Bragdon, Henry W. and Pittenger, John C. Macmillan Publishing Co., Inc. (1969)
Type: paperback
Content: Constitution, history of constitutional rights, stress on legal precedent
Methods: questions, interpretation of photos and cartoons.

The Rights of Students: The Basic ACLU Guide to a Public School Student's Rights. American Civil Liberties Union. Levine, Alan H. Carey, Eve and Dovoky, Diane. Avon Books. (1973)
Type: paperback
Content: first amendment rights, dress codes, due process, discrimination, corporal punishment, placement, marriage, pregnancy, school records, and grades.
Method: question/answer format.

The Right to Legal Counsel. The Bill of Rights in Action Series. BFA Educational Media. (1968).
Type: 16 mm film.
Content: right to counsel, amendments VI and XIV and cases: Betts v. Brady; Gideon

Street Law; A Course in Practical Law. Newman, Jason and O'Brien. West Publishing Co., (1975).
Type: paperback
Content: practical aspects of criminal law, consumer law, family law, housing law, individual rights, and environmental law.
Methods: 150 open-ended problems for discussion, cases, mock trials.

The Supreme Court and Contemporary Issues. Starr, Isidore. Encyclopedia Britannica Educational Corporation (1969)
Type: paperback
Content: civil rights, academic freedom, separation of church and state, freedom of expression, reapportionment, anti-trust decisions, rights of the accused.
Methods: analysis of excerpts of important cases.

The Teenager and the Police: Conflict and Paradox. Coronet Instructional Media. Educational Film Associates. (1972).
Type: sound filmstrips
Content: attitudes of young people and police toward each other. media images of law enforcement.

Teen Law Quiz. Minnesota State Bar Association. (1974).
Type: slides, guide.
Content: true/false statements about aspects of law of special concern to teenagers. Some must be adapted for use in other states.

Vital Issues of the Constitution. Trailmarks of Liberty Series. Ratcliffe, Robert H., ed. Houghton Mifflin, Co. (1975)
Type: paperback
Content: court decisions and functions, our legal system, basic freedoms.
Methods: mock trial scripts, discussion questions.

The Wheels of Justice. Teaching Resources Films. (1972)
Type: color, sound filmstrip, record, masters.
Content: problems of overcrowded and inadequate prisons and courts.
Method; open-ended questions, case studies.

Why the Law? Lex Singularis Series. Academic Support Center. KETC-TV The Missouri Bar. (1973).
Type: videotape
Content: imaginary news broadcast of events on a day when all laws are abolished.

You and the Law. Guidance Associates. (1969).
Type: sound filmstrips.
Content: difference between civil and criminal law, felonies and misdemeanors, discussion of juvenile courts, Miranda ruling, etc.

Your Legal Rights and Responsibilities: A Guide for Public School Students. United States Dept. of Health, Education, and Welfare. Office of Youth Development. (1976).
Type: paperback
Content: Supreme Court decisions and recent laws involving student rights.

Your Right to a Hearing. Film Fair Communication.(1972).
Type: 16 mm film
Content: laws dealing with repossession of goods.

Your Rights and Responsibilities as An American Citizen. Quigly, Charles. Ginn and Company (1976).
Type: paperback
Content: cases involving freedoms protected by the Bill of Rights.
Methods: discussion, role-playing.

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